

Chapter 22

COMMERCIAL ZONES

A zoning ordinance which provides for various commercial uses in three Kanab City zones: C-1, C-2, and C-3.

Adopted January 22, 2008

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Section 22-1 Purpose

To provide various zones within the City of Kanab where a wide variety of goods and services can be provided.

Section 22-2 Commercial Zones

1. C-1 Commercial Zone

a. The C-1 commercial zone has been established for the purpose of providing shopping facilities within the various neighborhoods of the city, primarily for the convenience of people living in the neighborhood. The types of goods and services which may be offered for sale have been limited to "convenience goods", such as groceries, drugs, personal services such as haircutting and hairdressing, distinguished by the fact that the principal patronage of the establishments originates within the surrounding neighborhood. Consequently, automobiles, furniture, appliances and other stores, the principal patronage of which originates outside the surrounding neighborhood, have been excluded from the C-1 zone. The maximum size of a C-1 zone shall not exceed five (5) acres.

b. Inasmuch as this zone is usually surrounded by dwellings, it is intended that residential amenities be maintained insofar as possible. Stores, shops or businesses shall be retail establishments only and shall be permitted only under the following conditions:

c. The C-1 zone is the underlying zone for the downtown overlay zone (DO).

i. Such businesses shall be conducted wholly on private property except for the parking of automobiles and service to persons in automobiles.

ii. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other similar offensive nuisances to adjacent neighborhood areas.

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2. C-2 Commercial Zone

a. The objective of the commercial zone is to provide space within the city where nearly all types of commercial goods and services may be provided. Since the zone permits such a wide variety of uses, the protective features which zoning normally affords to adjacent properties are mostly nonexistent. Owners should develop and maintain their property in recognition thereof.

b. The C-2 commercial zone is located principally along major roadways for maximum visibility to the public. To maximize traffic safety, property owners should work together to provide access, parking, etc., to adjacent parcels and access should be provided in a manner that will minimize the hazard of traffic leaving and entering major roadways.

c. The C-2 zone is the underlying zone for the transitioned overlay zone. (TCO)

3. C-3 Commercial Zone

a. The principal objective in establishing the C-3 commercial zone is to provide space within the city where facilities that serve the traveling public can be most appropriately located. Other purposes for establishing the C-3 commercial zone is to promote safety on the highways, to promote the convenience of the traveling public, to promote beauty in the appearance of roadsides and interchanges leading into the city and to prohibit uses which will tend to be contrary to the use of the land for its primary purposes or which would be unsightly to the traveling public.

b. The C-3 zone is the underlying zone for the entry corridor overlay protection zone. (ECPO)

Section 22-3 Permitted and Conditional Uses

(See Land Use Chart at the end of this chapter)

Section 22-4 Height Regulations

No building shall be erected to a height greater than allowed by ordinance. No building shall be erected to a height lower than twelve (12) feet.

Section 22-5 Temporary Events on Public Right-of-Way

In no case shall business be conducted on public right-of-ways except as allowed by a special events permit.

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Section 22-6 Minimum Area, Width, and Yard Regulations

| | | | Yard Setbacks in Feet | | |
|------|--------------|-------|-----------------------|------|------|
| Zone | Area | Width | Front | Side | Rear |
| C-1 | 5,000 sq ft | 0 | 0 | 0 | 20 |
| C-2 | 5,000 sq ft | 0 | 0 | 0 | 20 |
| C-3 | 12,000 sq ft | 0 | 20 | 20 | 20 |

Where a commercial zone abuts a residential district, building setbacks will be as follows:

| Yard Setbacks in Feet | | |
|-----------------------|------|------|
| Front | Side | Rear |
| 0 | 20 | 20 |

Section 22-7 Special Regulations

1. All materials and merchandise, except vehicles in running order, shall be stored in an enclosed building or within an enclosure surrounded by a sight-obscuring fence or wall of not less than six (6) feet in height and no material or merchandise shall be stored to a height of more than the height of the enclosing fence or wall.

2. No trash, rubbish, weeds or other combustible material shall be allowed to remain on any lot outside of approved containers in any Commercial District. No junk, debris, abandoned or dismantled automobile or automobile parts or similar material shall be stored or allowed to remain on any lot in any Commercial District.

3. All solid waste storage facilities shall be located at the rear of the main building or else behind a sight-obscuring fence or wall which will prevent the facility from being seen from a public street.

4. Gross Floor Limitation. Retail establishments shall not exceed 40,000 square feet of Gross Floor Area within the Commercial District. No Retail Establishment shall be permitted to place any one Building or a Combination of Buildings that exceed 40,000 square feet within said Zone. In no event shall any Retail Establishment, corporation, business, or entity have one or more building on adjoining parcel, wherein the building or buildings would exceed a total of 40,000 square feet shall strictly be prohibited, except as allowed in the CPD Zone.

5. **Definitions.** The following definitions shall apply to this section.

Combination of Buildings - Two or more buildings that are on adjoining parcels as measured from the outside exterior walls of two of the buildings.

Commercial / Residential Mix - The combination of commercial

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uses (usually retail and/or professional office businesses) and residential uses (usually multiple family dwellings) within a single development, either as part of a planned development of several buildings or within a single building.

Common Ownership of Management - Owned, leased, possessed, managed or otherwise controlled in any manner, directly or indirectly,

- a. by the same individual(s) or entity(ies) including but not limited to corporation(s) partnership(s) limited liability company(ies) or trust(s) or
- b. by different individuals or entities, including but not limited to corporations, partnership(s) limited liability companies or trusts where such individual(s) or entity(ies) have a controlling ownership or contractual right with the other individual(s) or entity(ies) with respect to the Retail Businesses, or where the same individual(s) or entity(ies) act in any manner as an employee, owner, partner, agent stockholder, director, member, officer or trustee of the entity(ies).

Gross Floor Area - the sum of:

- a. the total horizontal area, in square feet, of all floors of a building, as measured at outside the exterior walls and excluding all interior courtyards as described below; and
- b. the total horizontal area, in square feet, of all floors of all portions of the site outside of the exterior walls of buildings used for the display, storage, or sale of any goods, ware or merchandise.

For the purpose of this section an interior courtyard means a space bounded on three or more sides by walls but not a roof.

Retail Business - Business engaged in the sale of goods to individual consumers, usually in small quantities, and not to be place in inventory for resale.

A Retail Business does not include:

- a. health centers, governmental uses, community centers, theaters, or religious or fraternal uses, or
- b. a business where retail sales are an incidental or accessory use to the primary use. This definition shall not include churches, public schools, hospitals, public civic centers or public recreational facilities or other facilities owned by, or operated strictly for the benefit of the public.

Retail Establishment - A retail business or businesses, conducted in two or more buildings, where the retail business

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or businesses;

a. Are engaged in the selling of similar or related goods,

wares or merchandise, and operate under Common Ownership or Management, or

b. Share check stands, storage facilities, a warehouse, or a distribution facility, or

c. otherwise operate as associated, integrated or cooperative business enterprises under Common Ownership or Management.

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CITY OF KANAB

Uniform Zoning Ordinance

| LAND USE CHART COMMERCIAL | ZONES | | | |
|-------------------------------------|-------|----|----|-----|
| | C1 | C2 | C3 | CPD |
| Agricultural Crop Sales (Farm Only) | - | - | C | - |
| Airport Support Facility | - | - | C | C |
| Antique / Secondhand Store | P | P | P | P |
| Apparel / Accessory Store | C | P | P | P |
| Arcade (Games/Food) | C | C | P | C |
| Auto / Boat Dealer | - | P | P | - |
| Auto Rental / Sales | - | C | P | C |
| Auto Repair | - | C | P | C |
| Auto Service | - | P | P | C |
| Auto Supply Store | - | P | P | P |
| Beauty Salon | P | P | P | P |
| Bed and Breakfast / Guesthouse | C | P | P | - |
| Cemetery | - | - | C | - |
| College / University | - | C | C | C |
| Commercial Marine Supply | - | P | P | C |
| Commercial / Residential Mix | P | P | P | C |
| Communications Facility | - | - | C | C |
| Computer/Office Equipment | P | P | P | P |
| Conference / Convention Center | | P | P | P |
| Construction / Trade | - | - | C | - |
| Convalescent Center / Nursing Home | - | - | P | - |
| Church | C | C | P | - |
| Day Care I (under 6 children) | - | C | C | C |
| Day Care II (over 6 children) | - | C | C | C |
| Department / Variety Store | P | P | P | P |
| Dry Cleaner | - | C | P | P |
| Drug Store | P | P | P | P |
| Duplex /Residential | - | C | C | - |
| Elementary - Jr. High | - | - | C | - |
| Espresso Stand | P | P | P | P |

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|-----------------------------------|-------|----|----|-----|
| | C1 | C2 | C3 | CPD |
| Fabric Store | P | P | P | P |
| Fast Food/Restaurant | C | P | P | C |
| Financial Institution | - | P | P | P |
| Florist Shop | P | P | P | P |
| Food Store | P | P | P | C |
| Funeral Home/Crematory | - | C | P | - |
| Furniture/Fixtures | P | P | P | P |
| Gasoline / Service Station | - | P | P | C |
| General Repair | - | C | P | C |
| Halfway House | - | - | C | - |
| Hardware / Garden Material | - | P | P | C |
| Health Club | P | P | P | P |
| High School | - | - | C | - |
| Hobby / Toy Store | P | P | P | P |
| Hospital | - | - | C | - |
| Hotel / Motel and Associated Uses | C | P | P | C |
| Jewelry Store | P | P | P | P |
| Kennel / Public | - | - | C | - |
| Landscaping Business | - | - | P | - |
| Laundromat | - | P | P | P |
| Library | - | C | C | C |
| Liquor Store | C | C | C | C |
| Media Material | P | P | P | P |
| Medical / Dental Lab | C | P | P | P |
| Misc. Equipment Rental Facility | - | C | C | - |
| Miscellaneous Health | C | C | P | P |
| Mobile / Park Model Home Park | - | - | C | - |
| Museum | P | P | P | P |
| Office Supply | P | P | P | P |

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|-----------------------------------------------------------|-------|----|----|-----|
| | C1 | C2 | C3 | CPD |
| Park | C | P | P | P |
| Pet Store | C | P | P | P |
| Photographic and Electronic Store | P | P | P | P |
| Police / Fire Facility | C | P | P | P |
| Printing / Publishing | C | P | P | P |
| Professional Office | P | P | P | P |
| Public / Private Parking | C | C | C | C |
| Recreational Center | C | C | P | P |
| Residential Incidental to the Primary Use of the Business | C | C | C | C |
| Restaurant | P | P | P | P |
| RV / Camp Park | - | - | C | - |
| Self-Service Storage | - | - | C | - |
| Single Detached Dwelling Unit | - | C | C | - |
| Single Attached Dwelling Unit | - | C | C | - |
| Social / Public Agency offices | P | P | P | P |
| Sporting Goods and Related Stores | P | P | P | P |
| Theater | C | P | P | P |
| Towing Operation | - | C | P | - |
| Townhouses | - | C | C | - |
| Transitional Housing | - | C | C | - |
| Truck Stop | - | - | C | - |
| Veterinary Clinic large animal | - | - | C | - |
| Veterinary Clinic small animal | - | C | C | C |
| Vocational School | - | C | C | C |
| Youth Home | - | C | C | - |
| Wholesale / Bulk Store | - | C | P | - |
| Wireless Telecommunications retail | P | P | P | P |
| Wood Products | - | C | P | - |